IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.2394 of 2007

Mr.Khimjibhai Hargivandas Patdia — Applicant
Vs.
State of Maharashtra — Respondent

Mr.Padam with Mr.R.N.Kachave for applicant.
Mr.D.R.More, APP for State.

CORAM: B.H.MARLAPALLE, J.

August 16, 2007.

P.C.

. Heard the learned counsel for the applicant. He had applied for discharge from Criminal Case No.73/P/2003 pending before the learned Metropolitan Magistrate, 37th Court, Esplanade, Mumbai for the offences punishable under Sections 384, 385, 387 read with Section 34 of IPC. The application was rejected and, therefore, the applicant challenged the said order in Criminal Revision Application No.497 of 2007 and the learned Addl. Sessions Judge was pleased to reject the said revision application by the judgment and order dated 27/6/2007. Hence this petition under Article 227 of the Constitution.

. The learned Sessions Judge held that though the name of the applicant was not appearing in the

FIR, the other material collected by the Investigation Officer during the course of investigation prima facie indicated that the applicant was part of the cartel involved in extortion of money and, therefore, the learned Addl. Sessions Judge held that the order passed by the learned Metropolitan Magistrate in rejecting the discharge application did not call for interference.

. I have gone through the tape-recorded dialogue between the complainant and the main accused Ms. Meeta and I do not find any fault with the view concurrently taken by both the Courts below. Hence the application is rejected.

(B.H.MARL